

a shade pattern formed selectively on a main surface of said transparent substrate;
and

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CONT. a phase shift pattern selectively formed on said shade pattern and said transparent
substrate,

wherein said phase shift pattern has a surface planarized to a degree obtained by a
chemical and mechanical polishing.

5. (Twice Amended) A method of fabricating a photomask comprising the
steps of:

forming a hollow section on a main surface of a transparent substrate;
forming a shade pattern in said hollow section;
selectively forming a phase shift pattern on said transparent substrate and said shade
pattern; and
E2 forming, by chemical and mechanical polishing, a slope shape on a surface of said
phase shift pattern so that a thickness of a portion of said phase shift pattern in contact with
said transparent substrate gradually decreases.

7. (Twice Amended) A method of fabricating a photomask comprising the
steps of:

E3 forming a hollow section on a main surface of a transparent substrate;

forming a shade pattern in said hollow section, said shade pattern having a surface which is not in contact with said transparent substrate and forming a same plane together with the main surface of the transparent substrate; and

E3
Cont. selectively etching said main surface of said transparent substrate to form a phase shift pattern after forming said shade pattern.

23. (Twice Amended) A photomask fabrication method at least comprising the steps of:

forming a resist on a transparent substrate;
forming a pattern by selectively exposing and developing said resist by using a radiation ray;
selectively etching said transparent substrate by using said resist as a mask;
eliminating said resist;
forming a shade film on said transparent substrate which is selectively etched;
E4 performing a chemical and mechanical polishing for said shade film;
forming a resist film on said shade film;
selectively etching said resist film;
selectively etching said transparent substrate; and
performing said chemical and mechanical polishing for a phase shift pattern formed by selectively etching said transparent substrate.

31. (Amended) The method of fabricating a photomask according to claim 5, wherein said phase shift pattern includes a phase shift pattern formed every other opening on the photomask.

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32. (Amended) The method of fabricating a photomask according to claim 7, wherein said phase shift pattern includes a phase shift pattern formed every other opening on the photomask.

36. (Amended) The method of fabricating a photomask according to claim 5, wherein said phase shift pattern includes a phase shift pattern having an auxiliary opening with a shifter which is not resolved adjacent to a main opening.

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37. (Amended) The method of fabricating a photomask according to claim 7, wherein said phase shift pattern includes a phase shift pattern having an auxiliary opening with a shifter which is not resolved adjacent to a main opening.

41. (Amended) A photomask comprising:

a transparent substrate;

a hollow section formed on a main surface of said transparent substrate;

a shade pattern formed in said hollow section;

a phase shift pattern formed by selectively etching said transparent substrate; and

E7

a halftone phase shift pattern with a shade pattern.

42. (Amended) A photomask comprising:

a transparent substrate;

a hollow section formed on a main surface of said transparent substrate;

a shade pattern formed in said hollow section; and

a phase shift pattern formed by selectively etching said transparent substrate, and

having a shade pattern formed with a phase shifter.

E7
CONT

43. (Amended) A photomask comprising:

a transparent substrate;

a hollow section formed on a main surface of said transparent substrate;

a shade pattern formed in said hollow section;

a phase shift pattern formed by selectively etching said transparent substrate; and

an intermediate type phase shift pattern.

Please added the following new claims 50 and 51:

50. (New) The photomask according to claim 2, wherein said shade pattern is formed on top of the main surface of said transparent substrate.

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51. (New) The photomask according to claim 2, wherein said shade pattern has
a surface including a first surface portion directly contacting with said phase shift pattern
and a second surface portion not contacting with said phase shift pattern.

E8
CONT.